

REMARKS**I. Status of the Claims**

Claims 1-33 are currently pending.

By this Amendment, claim 1 has been amended and claim 19 has been canceled without prejudice or disclaimer. No new matter has been introduced by these amendments. Entry and consideration of this Amendment is respectfully requested. Upon entry of this Amendment, claims 1-18 and 20-33 would be pending.

II. Rejection under 35 U.S.C. §102

Claims 1-33 are rejected under 35 U.S.C. §102(e) as being anticipated by Ishiguro et al. (U.S. Patent No. 6,251,391). Applicant respectfully traverses the rejection of these claims for the reasons set forth below.

1. CLAIMS 1, 7, 13 AND 14:

Claims 1, 7, 13 and 14 are directed to an arrangement involving enciphering the transmission information; and selecting whether or not to use said enciphering means at the communication of information. For example, if no encipher process is needed or an encipher process is not appropriate, an encipher process can be omitted.

In contrast, Ishiguro discloses a system for receiving ID of reproducing device and generating an encipher key using the ID to encipher. That is, data to be transmitted is always enciphered and encipher keys are varied every reproducing device. Thus, Ishiguro et al. does not disclose or suggest selecting whether or not to use said enciphering means at the communication

of information, as recited in the claims. The Office Action also does not address the above feature with reasonable particularity.

Accordingly, claims 1, 7, 13 and 14 and their dependent claims are not anticipated by Ishiguro and are patentably distinguishable over the same. Reconsideration and withdrawal of the rejection of these claims are respectfully requested.

2. CLAIMS 6 AND 12:

Claims 6 and 12 are directed to an arrangement involving discriminating whether the received information is enciphered, and executing a predetermined error process in case the received information is enciphered. In this way, for example, a reception side may easily identify an error.

In contrast, Ishiguro does not determine whether a received signal is enciphered. As such, Ishiguro does not disclose or suggest discriminating whether the received information is enciphered, and executing an error process in case of being enciphered, as claimed. The Office Action also does not address the above features with reasonable particularity.

Accordingly, claims 6 and 12 and their dependent claims are not anticipated by Ishiguro and are patentably distinguishable over the same.

3. CLAIM 21:

Claim 21 is directed to an arrangement involving discriminating whether an intermediate transfer device is present, and enciphering the information in case the intermediate transfer device is present.

In contrast, Ishiguro is silent as to discriminating whether an intermediate transfer device is present in a transmission channel or enciphering based on such discrimination. The Office Action also does not address these features of the claim with reasonably particularity.

Accordingly, claim 21 and any dependent claims therefrom are not anticipated by Ishiguro and not rendered obvious by the same.

CONCLUSION

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

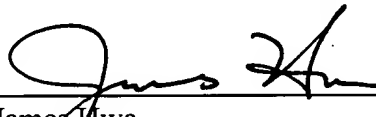
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 1232-4577. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 1232-4577. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: September 12, 2003

By:


James Liwa
Registration No. 42,680
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053